

February 26, 2009

*VIA ECFS*

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Re: Verscom LLC, EB Docket No. 06-36 & EB-08-TC5917**

Dear Ms. Dortch:

Pursuant to the Federal Communications Commission's Public Notice dated February 13, 2009,<sup>1/</sup> Verscom LLC ("Verscom"), through its attorneys, hereby submits a Customer Proprietary Network Information ("CPNI") certification for the calendar year 2008. While Verscom believes it is not required to file such a certification under the Commission's rules, it submits this certification, along with a statement explaining how Verscom's operating procedures ensure compliance with the Commission's CPNI rules, in an abundance of caution.

Should you have any questions, please contact the undersigned.

Sincerely,



Kemal Hawa  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
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Enclosures

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<sup>1/</sup> Enforcement Bureau Reminds Carriers of March 1 Deadline and Provides Further Guidance on Filing of Annual Customer Proprietary Network Information (CPNI) Certifications Under 47 C.F.R. § 64.2009(e), DA 09-240, Public Notice (rel. Feb. 13, 2009).

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2008

Date filed: February 25, 2009

Name of company(s) covered by this certification: Verscom LLC

Form 499 Filer ID: 826378

Name of signatory: Emir Nil

Title of signatory: President

I, Emir Nil, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

Signed EMIR NIL

A handwritten signature in dark ink, appearing to read "EMIR NIL", is written over a horizontal line. Below the signature, there is a large, stylized, and somewhat abstract scribble or flourish.

### Statement Accompanying Annual Compliance Certificate

Pursuant to Section 64.2009 of the Federal Communications Commission's ("Commission's") rules and regulations, 47 C.F.R. § 64.2009, Verscom LLC ("Verscom") has prepared this statement outlining why its operating procedures ensure that it is in compliance with the Commission's Customer Proprietary Network Information ("CPNI") rules. Verscom has a CPNI compliance program to ensure that the use, disclosure, or access to CPNI by Verscom employees, joint venture partners, or third parties is in accordance with the FCC's rules. Under its compliance program, Verscom maintains the following:

- **Employee Training:** Verscom conducts training to ensure that employees with access to CPNI records comply with the FCC's rules and regulations.
- **An Employee Discipline Program:** Verscom has implemented an employee discipline process to handle situations involving the impermissible use of a customer's CPNI. Verscom disciplines employees that fail to comply with the FCC's CPNI rules.
- **A Supervisory Review Process for All Sales and Marketing Campaigns:** Verscom supervisors review sales and marketing campaigns to ensure that they comply with the FCC's CPNI rules. Verscom retains records of such reviews for one calendar year.
- **A System to Retain Records of Verscom's and its Affiliates' Sales and Marketing Campaigns:** Sales and marketing campaigns that use CPNI are maintained by Verscom. Records of such campaigns are kept for one calendar year.
- **A Process to Maintain Customer Approvals:** Verscom has developed a system to allow its employees, affiliates, agents, joint venture partners, or independent contractors to determine the status of a customer's approval to use its CPNI, whenever customer approval is required. Under the FCC's rules, Verscom is not required to obtain customer consent to use CPNI in all circumstances. To the extent required, Verscom obtains customer approvals and retains records of such approvals for one calendar year.
- **Confidentiality Procedures:** Verscom takes steps to ensure that CPNI received by its agents, affiliates, joint venture partners, and independent contractors is used properly. Verscom requires that the CPNI only be used for the purpose it was provided for and not disclosed to any other party, unless required by force of law.
- **A Method to Ensure that Verscom Sends Opt-out Notifications:** To the extent required, Verscom sends customers opt-out notifications every two years. Verscom waits thirty days before it infers that a customer has consented to the use of its CPNI.
- **A Mechanism to Allow Customers to Restrict Access CPNI:** Verscom maintains a system to allow customers to restrict the use of their CPNI to the extent use of their CPNI may be restricted pursuant to the FCC's rules.
- **Procedures to Communicate Opt-Out Failures to the FCC:** Verscom has procedures in place to determine when its opt-out procedures are not working effectively. Verscom will notify the FCC by letter within five business days if its opt-out mechanism does not work properly.



Emir Nil